

JUDGE'S COPY

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HARRISBURG, PA

SEP 24 2001

MARY E. D'ANDREA, CLERK
Per _____
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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ROBERT C. WELDON

:

Plaintiff

:

: NO. 1:CV-01-1098

v.

:

: (Judge Caldwell)

:

MR. NORK, *et al.*,

:

Defendants

:

ANSWER

Defendant, by his attorneys, answers the Statement of Claim portion of the complaint as follows:

1. **DENIED.**

2. **ADMITTED.**

3. **ADMITTED** in part; **DENIED** in part. It is Admitted that plaintiff has exhausted available state administrative review of his conviction for misconduct. Each and every other allegation made in this paragraph is **DENIED**.

FIRST AFFIRMATIVE DEFENSE

The complaint fails to state a claim upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

At no time did defendant, either individually or in concert with others, deprive or seek to deprive plaintiff of any rights, privileges or immunities secured to him by the Constitution or laws of the United States.

THIRD AFFIRMATIVE DEFENSE

Plaintiff is entitled to no relief, whether compensatory, injunctive, punitive or otherwise.

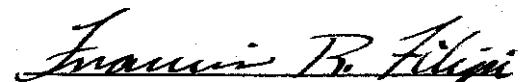
FOURTH AFFIRMATIVE DEFENSE

Defendant is entitled to qualified immunity.

Respectfully submitted,

D. MICHAEL FISHER
Attorney General

By:


FRANCIS R. FILIPI
Senior Deputy Attorney General
Attorney ID# 18630

SUSAN J. FORNEY
Chief Deputy Attorney General

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Date: September 24, 2001

Counsel for defendant Nork

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ROBERT C. WELDON :
Plaintiff : NO. 1:CV-01-1098
v. : (Judge Caldwell)
MR. NORK, *et al.*, :
Defendants :

CERTIFICATE OF SERVICE

I, FRANCIS R. FILIPI, Senior Deputy Attorney General, hereby certify that on this date I caused to be served a copy of the foregoing Answer, by depositing it in the United States Mail, postage prepaid, first class, in Harrisburg, PA, addressed to the following:

Robert C. Weldon, DL-7681
State Correctional Institution at Dallas
1000 Follies Road
Dallas, PA 18612-0286



FRANCIS R. FILIPI
Senior Deputy Attorney General

DATED: September 24, 2001